## NORTH DAKOTA PUBLIC SERVICE COMMISSION

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In the Matter of the Application of Dakota
Access LLC for a Certificate of Site
Compatibility and Route Permit for the Dakota
Access Pipeline Project in Mountrail,
Williams, McKenzie, Dunn, Mercer, Morton
and Emmons Counties, North Dakota

Case No. PU-I 4-842

**CERTIFICATE OF SERVICE** 

I hereby certify that true and correct copies of the PETITION TO INTERVENE OF

ZANE AND ALICE VOIGT and AFFIDAVIT OF ZANE AND ALICE VOIGT were on

May 18, 2015, filed with the North Dakota Public Service Commission and mailed to the following:

Brian R. Bjella Crowley Fleck PLLP P.O. Box 2798 Bismarck, ND 58502-2798

Dated this 18<sup>th</sup> day of May, 2015.

BAUMSTARK BRAATEN LAW PARTNERS Attorneys for Zane and Alice Voigt 109 North 4th Street, Suite 100 Bismarck, ND 58501 Phone: 701-221-2911

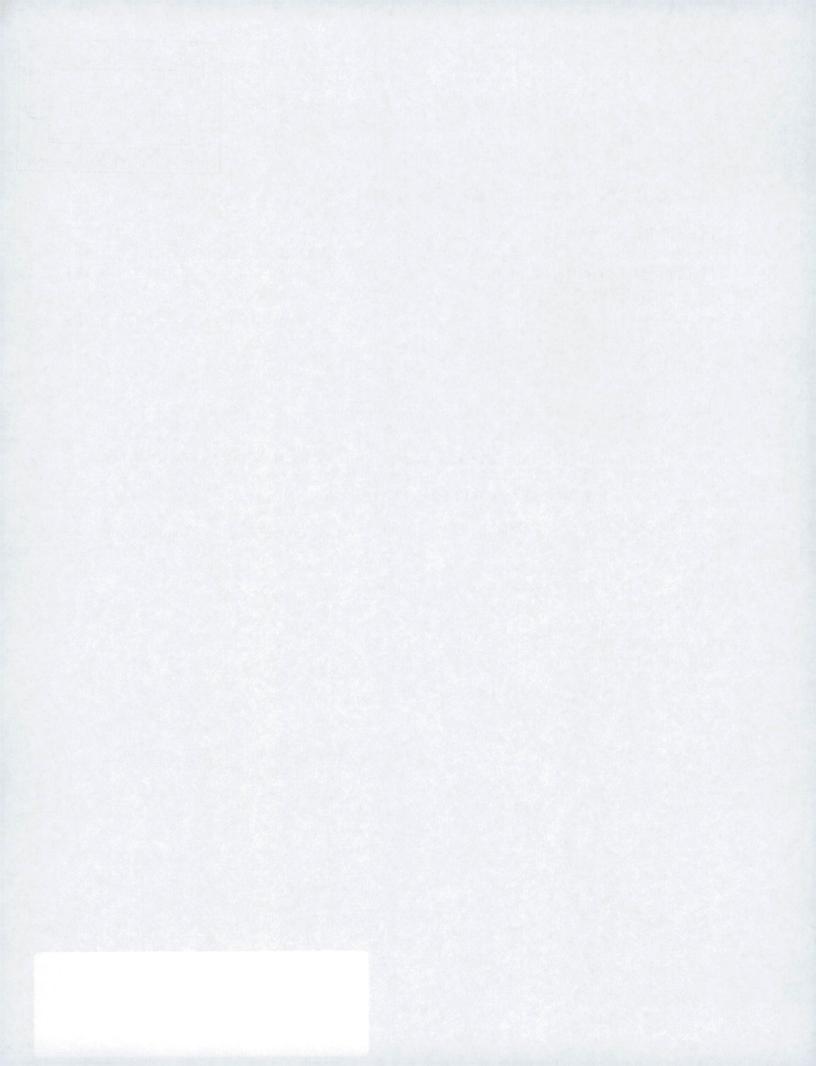
Fax: 701-221-5842

/s/ Derrick Braaten
By: Derrick Braaten

48 PU-14-842 Filed: 5/18/2015 Pages: 5 Petition to Intervene & Affidavit

Zane and Alice Voigt

Derrick Braaten & Matt Kelly, Attorneys



## NORTH DAKOTA PUBLIC SERVICE COMMISSION

	)
In the Matter of the Application of Dakota Access LLC for a Certificate of Site	) Case No. PU-I 4-842
Compatibility and Route Permit for the Dakota Access Pipeline Project in Mountrail, Williams, McKenzie, Dunn, Mercer, Morton and Emmons	) PETITION TO INTERVENE OF ZANE AND ALICE VOIGT
Counties, North Dakota	) ) )
	) ) )

Pursuant to N.D.A.C. § 69-02-02-05, Zane and Alice Voigt, by and through their attorneys Derrick Braaten and Matt Kelly (collectively, "Petitioners"), hereby petition to intervene in the above-captioned proceedings. In support of this petition, Petitioners state and allege as follows:

- Zane and Alice Voigt live at 3 88<sup>th</sup> Avenue NW, Halliday, ND 58636. The Voigts received
  documents from Dakota Access, LLC and offers for an easement over their land for the
  Dakota Access Pipeline Project, and have also received repeated requests for survey
  permission on their property.
- 2. The Voigt's property will be crossed by the Dakota Access Pipeline Project, and they are concerned about impacts to their land. The Voigts have not yet been able to reach an agreement with Dakota Access regarding an easement on their property, and feel it is necessary to protect their interests by ensuring that they are represented in these

proceedings.

3. Petitioners have a direct and substantial interest in these proceedings, as well as legal

property rights which may be substantially affected by the ND Public Service

Commission's findings and conclusions in this matter. Petitioners are intimately familiar

with the land they own and rent, and can provide the PSC with specific information

related to its routing determination in this proceeding, with respect to their individual

lands.

4. Petitioners are not adequately represented by existing parties, and Petitioners'

intervention would not unduly broaden the issues or delay the proceedings, particularly

given the early nature of the proceedings.

5. Petitioners are not necessarily in support of or opposed to the relief sought by the

applicant in this proceeding, but intend to oppose such relief if it allows Dakota Access to

cross the lands they own and rent in a manner that will cause unnecessary or

unreasonable damage to the land and to their farming operations.

Dated this 18<sup>th</sup> day of May, 2015.

## BAUMSTARK BRAATEN LAW PARTNERS

/s/ Derrick Braaten

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/s/ Matt Kelly

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## NORTH DAKOTA PUBLIC SERVICE COMMISSION

	)
In the Matter of the Application of Dakota Access LLC for a Certificate of Site Compatibility and Route Permit for the Dakota	) Case No. PU-I 4-842 )
Access Pipeline Project in Mountrail, Williams, McKenzie, Dunn, Mercer, Morton and Emmons Counties, North Dakota	AFFIDAVIT OF ZANE AND ALICE VOIGT  ) ) )
	)

STATE OF NORTH DAKOTA	)
	)ss
COUNTY OF DUNN	)

Zane and Alice Voigt, husband and wife, being duly sworn, state under oath as follows:

- 1. We live at 3 88<sup>th</sup> Avenue NW, Halliday, ND 58636.
- We have received documents from Dakota Access, LLC and offers for an easement over our land for the Dakota Access Pipeline Project, and have also received repeated requests for survey permission on our property.
- 3. Our property will be crossed by the Dakota Access Pipeline Project, and we are concerned about impacts to our land. We have not yet been able to reach an agreement with Dakota Access regarding an easement on our property, and feel it is necessary to protect our interests by ensuring that they are represented in these proceedings.

Dated this <u>13</u> day of April, 2015.

Zane Voigt
Zane Voigt

Dated this  $\underline{/3}$  day of April, 2015.

Alice Voigt

STATE OF NORTH DAKOTA ) )ss.
COUNTY OF DUNN )

On this 13 day of April, 2015, before me personally appeared Zane and Alice Voigt, husband and wife, and known to me to be the same persons who are described in and who executed the within document, and acknowledged to me that they executed the same.

JOHN DOLEZAL Notary Public State of North Dakota My commission expires Nov 25, 2016

Notary Public